

TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2736

December 21, 2016, 1:30 PM

**175 East 2nd Street, 2nd Level, One Technology Center
Tulsa City Council Chamber**

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

Call to Order:

REPORTS:

Chairman's Report:

Worksession Report:

Director's Report:

Review TMAPC Receipts for the month of November 2016

1. Minutes of December 7, 2016, Meeting No. 2735

CONSENT AGENDA:

All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.

2. **LS-20944** (Lot-Split) (CD 6) – Location: North of the northeast corner of East 11th Street South and South Garnett Road
3. **LS-20945** (Lot-Split) (County) – Location: West of the southwest corner of East 60th Place North and North 140th East Avenue
4. **LS-20946** (Lot-Split) (CD 1) – Location: North of the northeast corner of North Peoria Avenue and East Admiral Place (related to LC-834)
5. **LC-834** (Lot-Combination) (CD 1) – Location: North of the northeast corner of North Peoria Avenue and East Admiral Place (related to LS-20946)
6. **LS-20947** (Lot-Split) (CD 4) – Location: North of the northwest corner of South Harvard Avenue and East 17th Street South (related to LC-835)
7. **LC-835** (Lot-Combination) (CD 4) – Location: North of the northwest corner of South Harvard Avenue and East 17th Street South (related to LS-20947)

8. **LS-20948** (Lot-Split) (CD 1) – Location: North of the northeast corner of North Denver Avenue and West Haskell Place (related to LC-836)
9. **LC-836** (Lot-Combination) (CD 1) – Location: North of the northeast corner of North Denver Avenue and West Haskell Place (related to LS-20948)
10. **LS-20950** (Lot-Split) (CD 9) – Location: North of the northwest corner of South Peoria Avenue and East Skelly Drive (related to LC-838)
11. **LC-838** (Lot-Combination) (CD 9) – Location: North of the northwest corner of South Peoria Avenue and East Skelly Drive (related to LS-20950)
12. **LC-846** (Lot-Combination) (CD 3) – Location: East of the northeast corner of South Sheridan Road and East Admiral Place

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

PUBLIC HEARINGS:

13. **CZ-447 Stephen Schuller** (County) Location: West of the southwest corner of West 21st Street and South 49th West Avenue requesting rezoning from **RS** to **CG** (continued from December 7, 2016)
14. **CZ-448 Jim Beach** (County) Location: North of the northwest corner of South Peoria Avenue and East 141st Street requesting rezoning from **AG** to **CS**. (**Staff requests continuance to February 1st, 2017**)
15. **Z-7162 Plat Waiver** (CD 9) Location: West of the southwest corner of East 51st Street South and South Yale Avenue
16. **Z-7367 Josh Miller** (CD 1) Location: Southwest corner of East 36th Street North and North Lewis Avenue requesting rezoning from **AG/RS-3/RMH/CS/CH** to **IM** with **Optional Development Plan**.
17. **Z-7371 Miguel Gomora** (CD 3) Location: North and west of the northwest corner of East 11th Street South and South Garnett Road requesting rezoning from **RS-3** to **CG**.

OTHER BUSINESS

18. **Adopt Resolution 2736:961** to concur with the findings and recommended actions contained within the small area plan review project.

19. Commissioners' Comments

ADJOURN

CD = Council District

NOTE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918) 584-7526. Exhibits, Petitions, Pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained at Land Development Services, INCOG. Ringing/sound on all cell phones and paggers must be turned off during the Planning Commission.

Visit our website at www.tmapc.org

email address: esubmit@incog.org

TMAPC Mission Statement: The Mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide unbiased advice to the City Council and the County Commissioners on development and zoning matters, to provide a public forum that fosters public participation and transparency in land development and planning, to adopt and maintain a comprehensive plan for the metropolitan area, and to provide other planning, zoning and land division services that promote the harmonious development of the Tulsa Metropolitan Area and enhance and preserve the quality of life for the region's current and future residents.

TMAPC RECEIPTS
Month of November 2016

----- Current Period -----					----- Year To Date -----			
	ITEM	CITY	COUNTY	TOTAL RECEIVED	ITEM	CITY	COUNTY	TOTAL RECEIVED
ZONING								
Zoning Letters	8	\$375.00	\$375.00	\$750.00	47	2,112.50	2,112.50	\$4,225.00
Zoning	11	4,375.00	4,375.00	8,750.00	31	12,080.00	12,080.00	24,160.00
Plan Reviews	21	1,700.00	1,700.00	3,400.00	114	10,650.00	10,650.00	21,300.00
Refunds		0.00	0.00	0.00		(575.00)	(575.00)	(1,150.00)
NSF		0.00	0.00	0.00		0.00	0.00	0.00
		<u>\$6,450.00</u>	<u>\$6,450.00</u>	<u>\$12,900.00</u>		<u>\$24,267.50</u>	<u>\$24,267.50</u>	<u>\$48,535.00</u>
LAND DIVISION¹								
Minor Subdivision	0	\$0.00	\$0.00	\$0.00	1	\$325.00	\$325.00	650.00
Preliminary Plats	0	0.00	0.00	0.00	9	\$3,575.00	\$3,575.00	7,150.00
Final Plats	1	380.00	380.00	760.00	10	\$4,204.47	\$4,204.47	8,408.94
Plat Waviers	2	250.00	250.00	500.00	6	\$750.00	\$750.00	1,500.00
Lot Splits	11	545.00	545.00	1,090.00	53	\$2,825.00	\$2,825.00	5,650.00
Lot Combinations	11	550.00	550.00	1,100.00	45	\$2,250.00	\$2,250.00	4,500.00
Other	0	0.00	0.00	0.00	7	\$650.00	\$650.00	1,300.00
NSF		0.00	0.00	0.00		\$0.00	\$0.00	0.00
Refunds		0.00	0.00	0.00		\$0.00	\$0.00	0.00
		<u>\$1,725.00</u>	<u>\$1,725.00</u>	<u>\$3,450.00</u>		<u>\$14,579.47</u>	<u>\$14,579.47</u>	<u>\$29,158.94</u>
TMAPC COMP								
Comp Plan Amendment	0	\$0.00	\$0.00	\$0.00	1	\$250.00	\$0.00	\$250.00
Refund		<u>\$0.00</u>		<u>\$0.00</u>		\$0.00	\$0.00	\$0.00
		<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>		<u>\$250.00</u>	<u>\$0.00</u>	<u>\$250.00</u>
BOARDS OF ADJUSTMENT								
Fees	17	\$4,550.00	\$1,350.00	\$5,900.00	101	\$28,650.00	\$10,000.00	\$38,650.00
Refunds		(550.00)	0.00	(\$550.00)		(\$550.00)	\$0.00	(550.00)
NSF Check		0.00	0.00	\$0.00		\$0.00	\$0.00	0.00
		<u>\$4,000.00</u>	<u>\$1,350.00</u>	<u>\$5,350.00</u>		<u>\$28,100.00</u>	<u>\$10,000.00</u>	<u>\$38,100.00</u>
TOTAL		\$12,175.00	\$9,525.00	\$21,700.00		\$67,196.97	\$48,846.97	\$116,043.94
LESS WAIVED FEES *		\$0.00		\$0.00		(\$2,856.33)		(\$2,856.33)
GRAND TOTALS		<u>\$12,175.00</u>	<u>\$9,525.00</u>	<u>\$21,700.00</u>		<u>\$64,340.64</u>	<u>\$48,846.97</u>	<u>\$113,187.61</u>

* Advertising, Signs & Postage Expenses for City of Tulsa Applications with Fee Waivers.

TMAPC Receipt Comparison

	November 2016	October 2016	November 2015
Zoning Letters	8	11	12
Zoning	11	3	4
Plan Reviews	21	24	26
Minor Subdivisions	0	0	3
Preliminary Plats	0	2	3
Final Plats	1	3	0
Plat Waivers	2	1	3
Lots Splits	11	13	9
Lot Combinations	11	9	10
Other	0	1	1
Comp Plan Amendments	0	0	0

12/15/2016



Tulsa Metropolitan Area
Planning Commission

Case Number: CZ-447

Hearing Date: December 21, 2016

Case Report Prepared by:

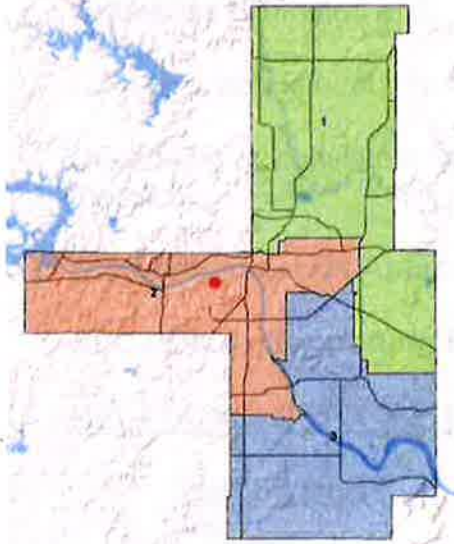
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Stephen Schuller

Property Owner: CODY/MORGAN LLC
Tommy & Maxine Cody Rev Trust

Location Map:
(shown with County Commission Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Commercial

Concept summary: Combine all of the current ownership into a single zoning district anticipating future business expansion.

Tract Size: 4 ± acres

Location: West of the southwest corner of W. 21st St. and S. 49th W. Ave.

Zoning:

Existing Zoning: RS

Proposed Zoning: CG

Comprehensive Plan:

Land Use Map: N/A

Stability and Growth Map: N/A

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9217

CZM: 35

Atlas: 262, 201

County Commission District: 2

Commissioner Name: Karen Keith

13.1

Z-4370 March 1973: Staff and TMAPC concurred in **denial** of a request for rezoning a tract of land from RS-2 to RMH for a mobile home park, on property located south of the southwest corner of W. 49th E. Ave. and W. 21st St. and also known as a part of the subject property.

Surrounding Property:

CZ-394 October 2008: All concurred in **approval** of a request for *rezoning* a 1± acre tract of land from RS to CS, for commercial use, on property located west of southwest corner of West 21st Street South and South 49th West Avenue and abutting west of the subject property.

CZ-186 December 1990: A request to *rezone* a 3± acre tract from RS to IH or CH for industrial use, on property located west of the southwest corner of 49th West Avenue and West 21st Street South, and west of subject property. All concurred in **denial** of IH and CH, and the **approval** of IM zoning on said tract.

Z-4167 September 1972: All concurred in **approval** of a request for *rezoning* a tract of land from IL to RS-3, for residential use being the property is not conducive to industrial use due to topography, on property located west of the southwest corner of W. 21st St. and S. 49th W. Ave. and abutting south of subject property.

12/21/2016 1:30 PM

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site consists of a combination of existing commercial structures, single-family homes and vacant land.

Environmental Considerations: Parts of the northern portion of the proposed area are located in the 500 year floodplain. A large portion of the site currently zoned RS and south of the existing building has been used for illegal dumping. Rezoning will require a Plat and provide a redevelopment opportunity that could help start remediation efforts.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West 21 st Street	Secondary Arterial	100 feet	4

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	IM	N/A	N/A	Industrial
South	RS / IL	N/A	N/A	Single-Family
East	IL / CS / RS	N/A	N/A	Commercial/Single-Family
West	CS / RS	N/A	N/A	Vacant Commercial Occupied Single-Family

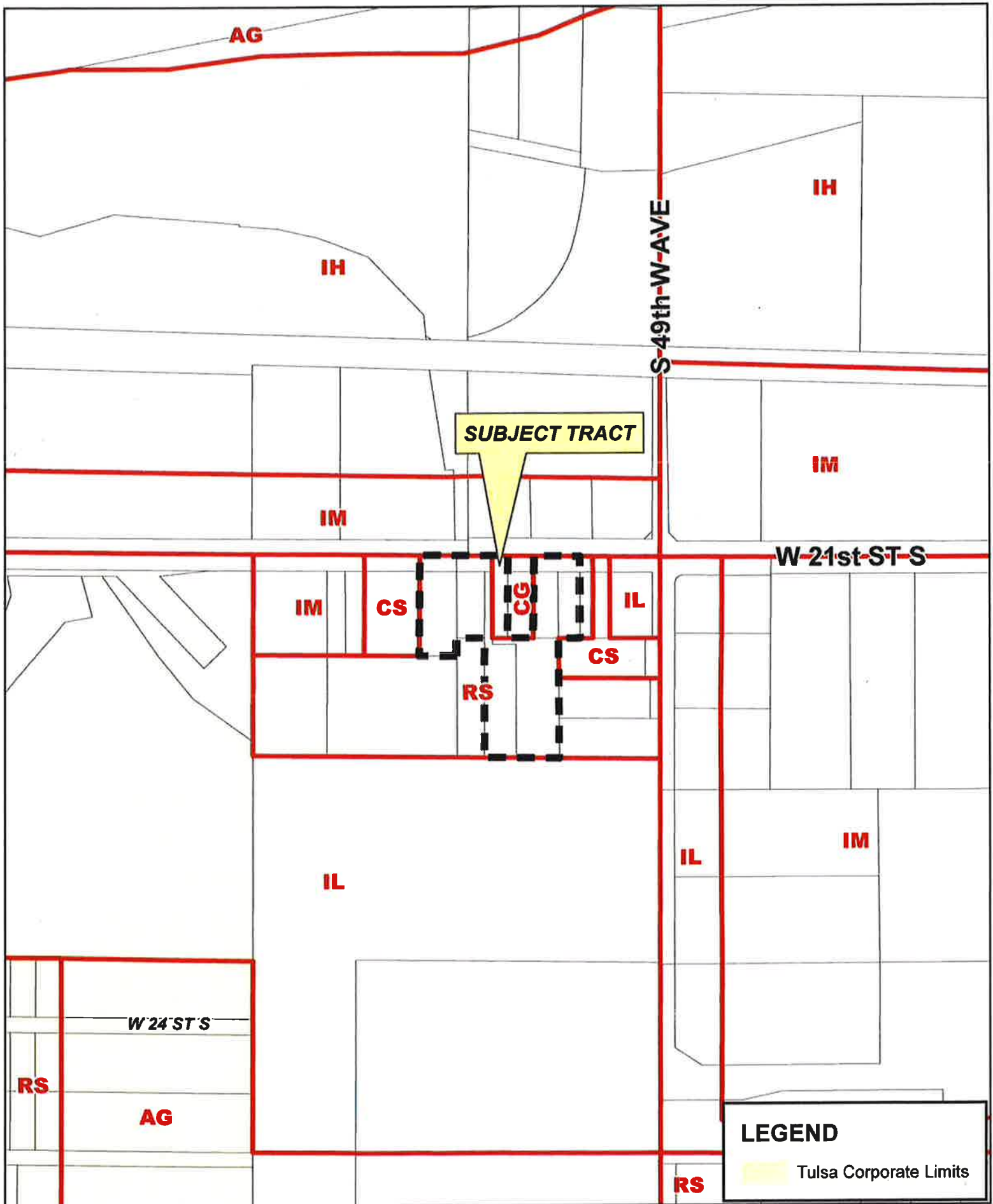
SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 108037 dated October 22, 1984 (CZ-113), and 98254 dated September 15, 1980, established zoning for the subject property.

Subject Property:

CZ-113 December 1990: All concurred in **approval** of a request for *rezoning* a 50' x 214' tract of land from RS to CG for industrial use, on property located west of the southwest corner of W. 21st St. and S. 49th W. Ave. and is also a part of the subject property.

13.4



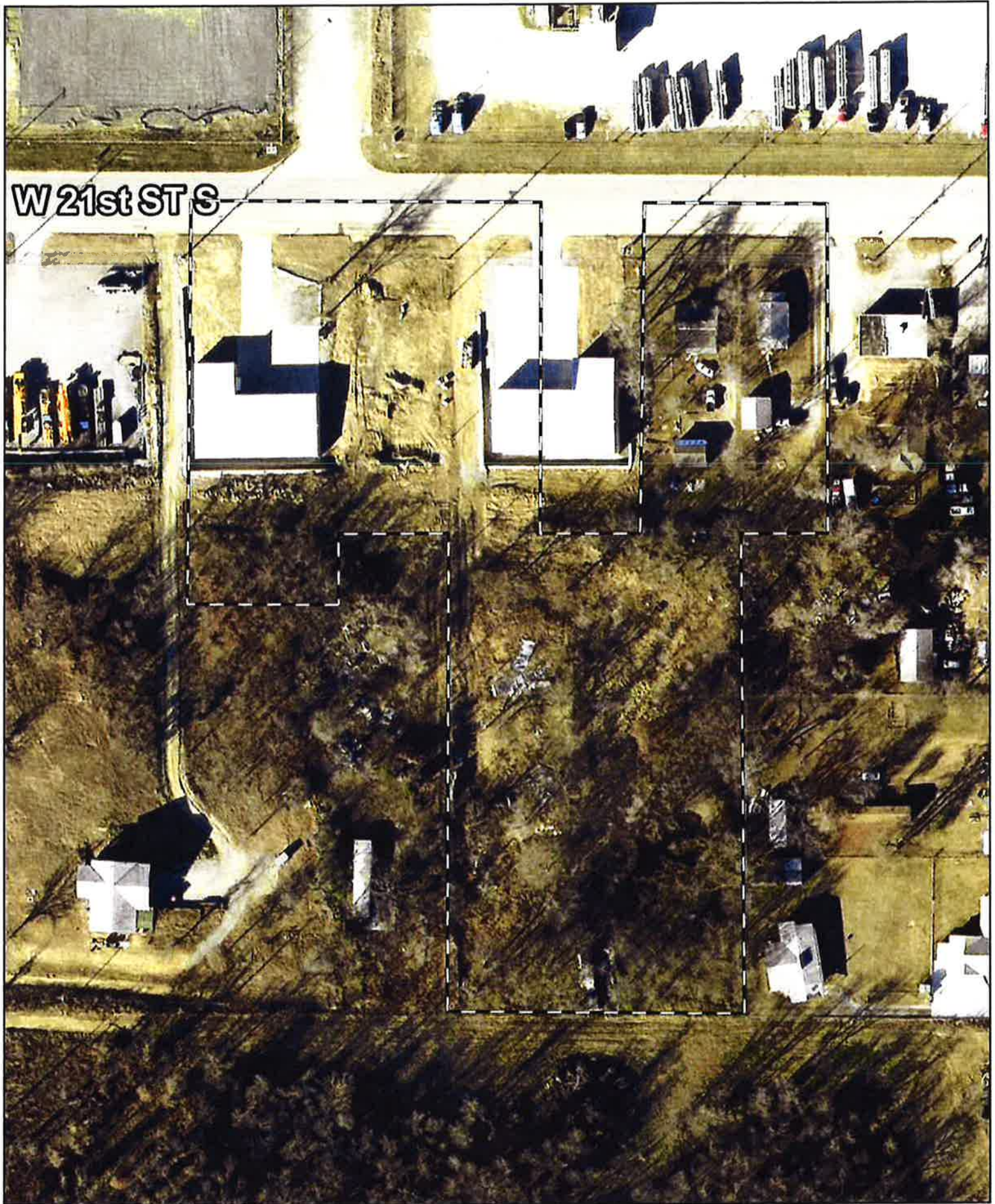
CZ-447

19-12 17

13.5



W 21st ST S



0 50 100
Feet



Subject
Tract

CZ-447

19-12 17

Note: Graphic overlays may not precisely
align with physical features on the ground.

Aerial Photo Date: February 2016





S 49th W AVE

W 21st ST S

W 24th ST S



Subject
Tract

CZ-44

19-12 17

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016



CZ-448

Sawyer, Kim

From: Wilkerson, Dwayne
Sent: Wednesday, December 14, 2016 4:54 PM
To: Jim Beach
Cc: Sawyer, Kim; Miller, Susan
Subject: FW: CZ-448 Rezoning request from AG to CS

Mr. Beach,

As we discussed staff is requesting a continuance for this project to **allow time to submit a Planned Unit Development.**

Staff request a continuance to the **February 1st** planning commission meeting. **Please submit your application prior to the end of the Day December 22nd to meet that schedule.**

Respectfully

INCOG

C. Dwayne Wilkerson
Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org



Tulsa Metropolitan Area
Planning Commission

Case : Z-7162 Plat Waiver

Hearing Date: December 21, 2016

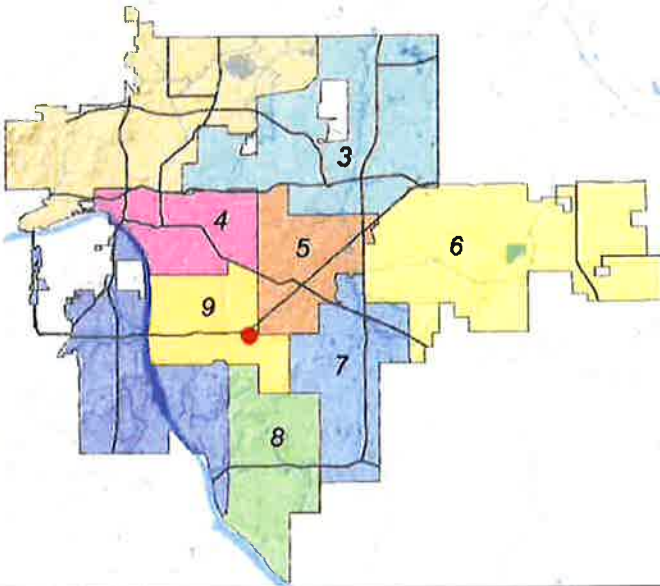
Case Report Prepared by:

Nathan Foster

Owner and Applicant Information:

Applicant & Owner: Michael Toole

Location Map:
(shown with City Council Districts)



Applicant Proposal: Plat Waiver

Location: West of the Southwest corner of
East 51st Street & South Yale Avenue

Zoning: OL

Staff Recommendation:

Staff recommends **approval**.

City Council District: 9

Councilor Name: Ben Kimbro

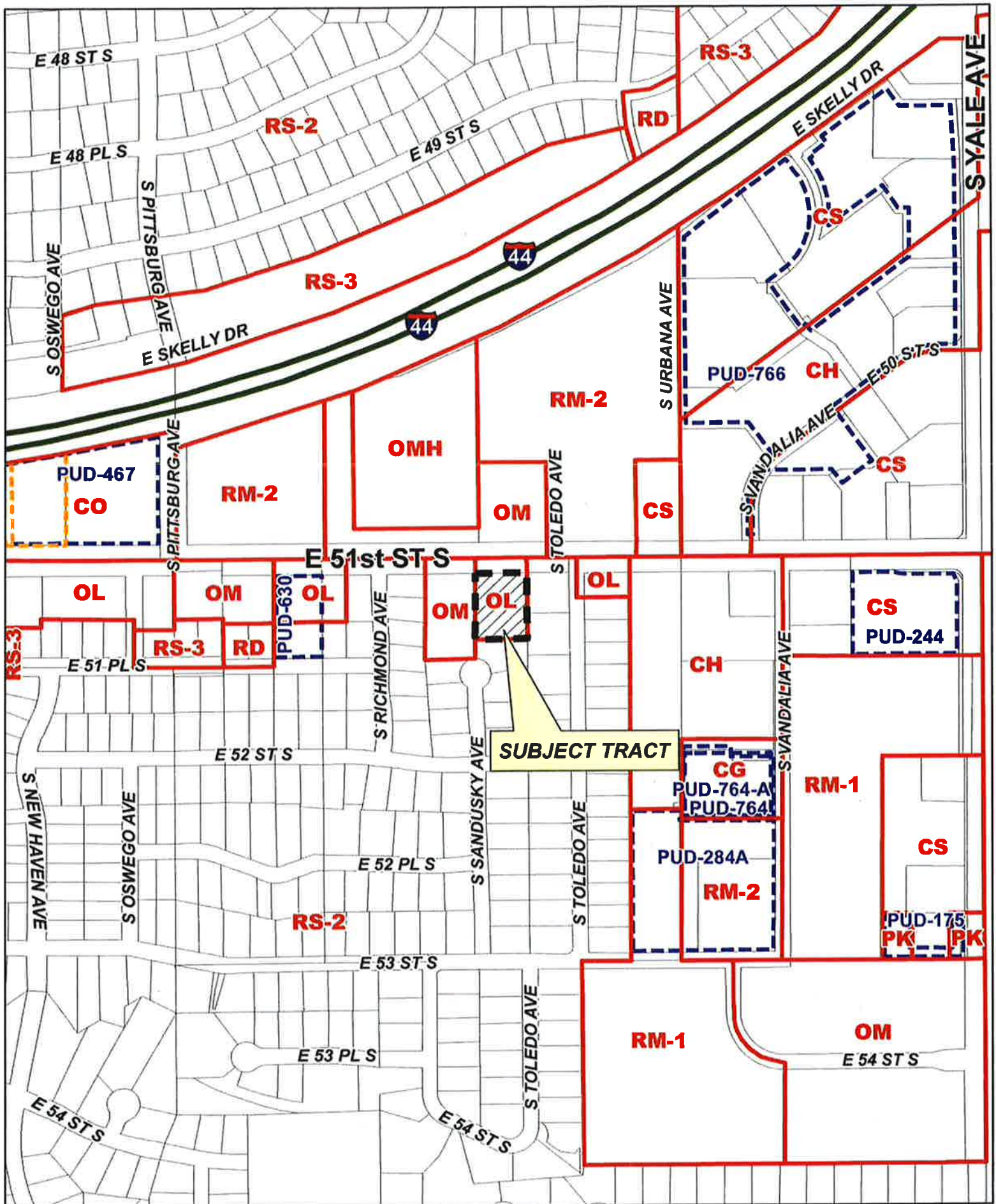
County Commission District: 3

Commissioner Name: Ron Peters

EXHIBITS:

Site Map, Aerial, Site Plan

15.1



Z-7162

19-13 33

15.2





0 Feet 200 400



Subject
Tract

Z-7162

19-13 33

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

15.3



PLAT WAIVER

December 21, 2016

Z-7162 – West of the SW/c E 51st Street & S Yale Avenue

The platting requirement is being triggered by a rezoning from RS-2 to OL that was approved by City Council on March 24th, 2011.

Staff provides the following information from TAC for their December 1, 2016 meeting:

ZONING: TMAPC Staff: The property has been subject to a platting requirement since the approval of the rezoning in 2011; however, building permits were issued and construction was completed in early 2015 and the platting requirement was missed. At this time, the property owner is seeking permits for new occupancy and potential new signage. No additional construction is proposed.

STREETS: No comment.

SEWER: No comment.

WATER: No comment.

STORMWATER: No comment.

FIRE: No comment.

UTILITIES: No comment.

Staff can recommend **APPROVAL** of the plat waiver for this property given that construction is finished, an IDP was completed with permits, and no additional requirements have been identified by the Technical Advisory Committee.

A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

	Yes	NO
1. Has Property previously been platted?		X
2. Are there restrictive covenants contained in a previously filed plat?		X
3. Is property adequately described by surrounding platted properties or street right-of-way?		X

A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

	YES	NO
4. Is right-of-way dedication required to comply with Major Street		X

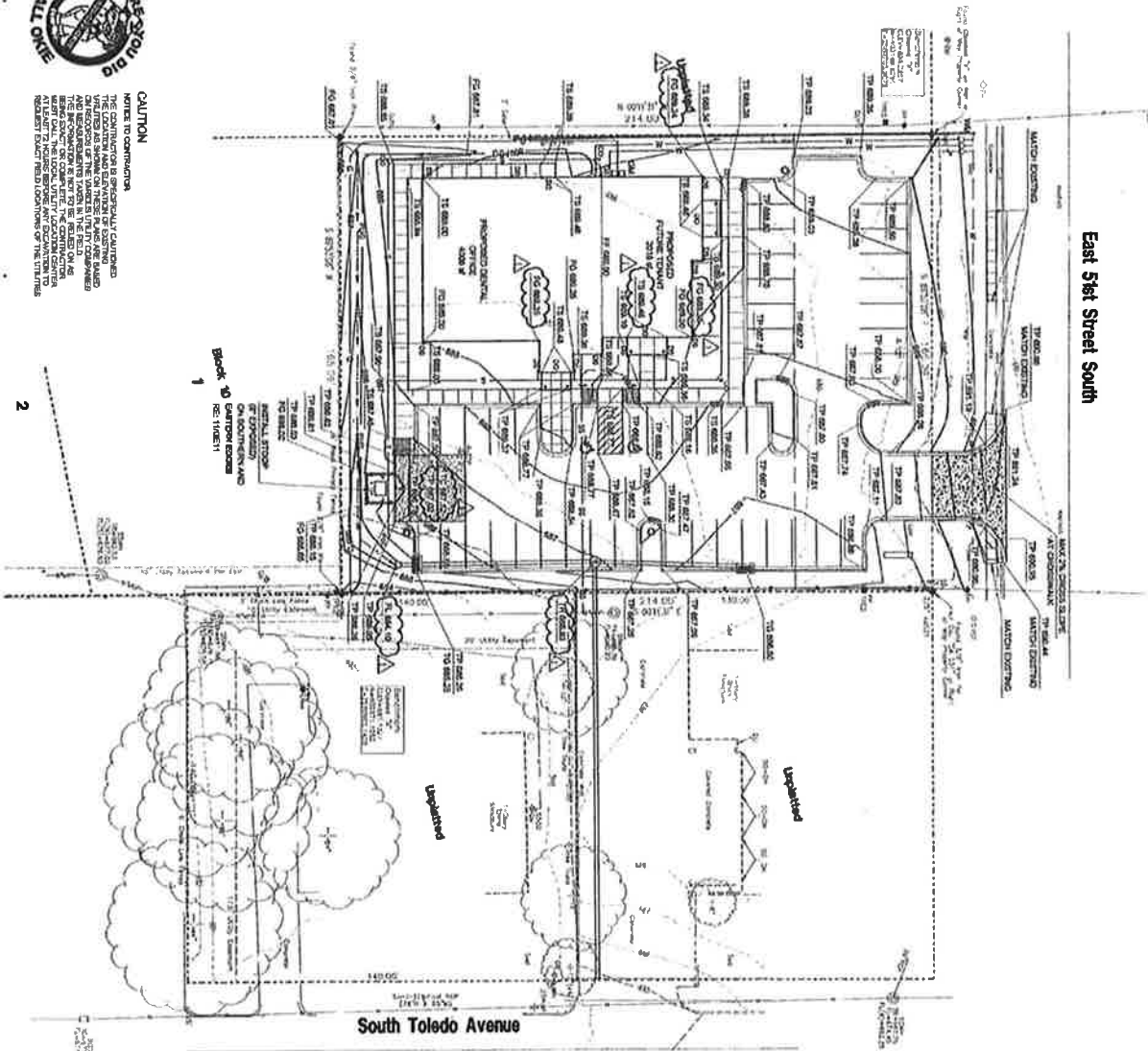
- and Highway Plan?
5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived? X
 6. Infrastructure requirements:
 - a) Water
 - i. Is a main line water extension required? X
 - ii. Is an internal system or fire line required? X
 - iii. Are additional easements required? X
 - b) Sanitary Sewer
 - i. Is a main line extension required? X
 - ii. Is an internal system required? X
 - iii. Are additional easements required? X
 - c) Storm Sewer
 - i. Is a P.F.P.I. required? X
 - ii. Is an Overland Drainage Easement required? X
 - iii. Is on site detention required? X
 - iv. Are additional easements required? X
 7. Floodplain
 - a) Does the property contain a City of Tulsa (Regulatory) Floodplain? X
 - b) Does the property contain a F.E.M.A. (Federal) Floodplain? X
 8. Change of Access
 - a) Are revisions to existing access locations necessary? X
 9. Is the property in a P.U.D.? X
 - a) If yes, was plat recorded for the original P.U.D.
 10. Is this a Major Amendment to a P.U.D.? X
 - a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? X
 11. Are mutual access easements needed to assure adequate access to the site? X
 12. Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations? X



CAUTION

NOTICE TO CONTRACTOR
THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND UTILITIES INFORMATION PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND UTILITIES INFORMATION PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND UTILITIES INFORMATION PRIOR TO THE START OF CONSTRUCTION.

East 51st Street South



2

- ### GENERAL GRADING NOTES
1. SITE GRADING SHALL NOT PROCEED UNTIL EROSION CONTROL MEASURES HAVE BEEN INSTALLED & MONITORED BY LOCAL AUTHORITIES.
 2. ALL CUT OR FILL SLOPES SHALL BE AT GRADATION UNLESS OTHERWISE NOTED.
 3. EROSION DAMAGE STRUCTURES TO BE REINFORCED AND STABILIZED AS NOTED, AND EROSION PROTECTION TO BE BLANKET CUT TO EXISTING FILL AND DRAIN.
 4. IF ANY EXISTING STRUCTURES TO REMAIN ARE DAMAGED DURING CONSTRUCTION IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO REPAIR OR REPLACE THE EXISTING STRUCTURE AS NECESSARY.
 5. ALL EXISTING DRAINAGE STRUCTURES SHALL BE MAINTAINED TO ASSURE PROPER DRAINAGE TO WATER TREATMENT.
 6. CONTRACTOR SHALL ASSURE PROPER DRAINAGE AWAY FROM BUILDINGS AND STRUCTURES FOR ALL GRADED AND PAVED AREAS.
 7. CONSTRUCTION SHALL COMPLY WITH ALL APPLICABLE GOVERNING CODES AND BE CONNECTED TO THE SEWER.
 8. CONTRACTOR IS RESPONSIBLE FOR TEMPORARY ACCESS ROADS AND SHALL MAINTAIN POSITIVE DRAINAGE OF ENTIRE SITE THROUGHOUT CONSTRUCTION AND AVOID FLOODING OR FLOODING DRAINAGE DURING CONSTRUCTION. EXISTING DRAINAGE SHALL BE MAINTAINED AND NOTED IN THE BOOK OF WORK.
 9. SLOPES SHALL HAVE MIN 2% CROSS SLOPE.

APPROVED FOR PERMIT ONLY	DATE

GE06

REVISION	DATE	BY	CHKD
1	7/10/2014	MT	MT



Dental Office for
Michael J. Toole, DDS
4322 East 51st Street, Tulsa, Oklahoma



SBC
ARCHITECTURE
1013 West 36th Street
Tulsa, OK 74107 (918) 633-6277

15.8